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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/075,965	02/13/2002	John Paul Ronaldson	UDL1P044C1	1141

22434 7590 04/28/2004

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EXAMINER

BEHREND, HARVEY E

ART UNIT	PAPER NUMBER
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3641

DATE MAILED: 04/28/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Art Unit: 3641

1. The amendment filed on 1/5/04 is non-responsive because it has amended the claims originally acted on so that they are no longer directed to the invention/species originally acted on.

As indicated by section 1 on page 2 of the 7/3/03 Office action, applicant on page 3 of the 5/28/03 response, elected the specie of a flat distribution for the self-induced fission rate.

Applicant in the 1/5/04 response has amended claim 1 by changing the distribution of the self-induced fission rate from the elected specie of a flat distribution, to the non-elected specie of a triangular distribution.

Further, the species originally acted on, only assigned a probability distribution to each of the self-induced fission rate, the detection efficiency, the alpha, n reaction rate and to each of the single, double and triple counting rates. Note in this respect, originally acted on claims 1 and 27, as well as the specification at the top of pages 4 and 14.

Applicant in the 1/5/04 response has amended independent claims 1 and 27 so that they are now directed to a new independent and distinct species wherein a probability distribution is also assigned to the spontaneous fission rate.

It is considered that the "Remarks" section of the 1/5/04 response shows that even applicant considers the newly amended claims to be directed to a different and patentably distinct species, by arguing on pages 12+, that the newly or presently claimed invention "fundamentally" differs over the prior art approach by assigning a probability distribution function (pdf) to each of the spontaneous fission rate, the self-

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induced fission rate, the detection efficiency, the alpha, n reaction rate and to each of the single, double and triple counting rates (i.e. 7 pdf's versus 6 pdf's for the originally acted on species).

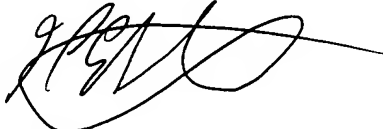
If applicant desires to have the species set forth in amended independent claims 1 and 27 considered on the merits, such can be accomplished by the appropriate filing of a divisional application.

Since the above-mentioned amendment appears to be a bona fide attempt to reply, applicant is given a TIME PERIOD of ONE (1) MONTH or THIRTY (30) DAYS, whichever is longer, from the mailing date of this notice within which to supply the mission or correction in order to avoid abandonment. EXTENSIONS OF THIS TIME PERIOD UNDER 37 CFR 1.136(a) ARE AVAILABLE.

2. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Harvey Behrend whose telephone number is (703) 305-1831. The examiner can normally be reached on Tuesday to Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Michael Carone, can be reached on (703) 306-4198. The fax phone number for the organization where this application or proceeding is assigned is (703) 306-4195.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 306-1113.



HARVEY E. BEHREND  
PRIMARY EXAMINER